

The Adar Yahrzeit
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We all know that generally there is one month of Adar each year. But sometimes to keep the calendar running appropriately to the seasons, we add an additional month to the calendar. This situation can cause some potential questions. This happened to me when my father died. He, like his father, died in Adar. My father died on the 1st of Adar Bet and my Grandfather died on the 12th of Adar Aleph. Some years when there is only one Adar, my father's Yahrzeit will occur 1st and in years where there are two Adars, my Grandfather Yahrzeit occurs first.

Thinking about the situation had me thinking about the various options regarding observing Yahrzeit in a year when there are two Adars. What is the appropriate observance when there are two months of Adar – which is the primary Adar.

Researching this question identified two Mishnahs and their Gemarahl that seem to be relevant to the case of which Adar is primary.

The first Mishnah and Gemarah is from the tractate of Megillah 6b [SOURCE 1] which reads that if you read the Megillah in the 1st Adar and subsequently an extra month of Adar was added to the year, they must read it again in the second Adar. The Mishnah proclaims the following rule: there is no difference between the 1st Adar and the 2nd Adar, except in respect to reading the Megillah and gifts for the poor. The Gemarah tries to identify whom the Mishnah is attributed to; Rabbi Eliezer son of Rabbi Yose or Rabban Shimon ben Gamliel. The positions include: whether all the mitvos that apply in the 2nd Adar can apply in the 1st Adar as well, except for the reading of the Megillah; we do not have to read the Megillah in the 2nd Adar because all the mitzvos that apply in the 2nd Adar apply in the 1st Adar; and we have to read the Megillah again because all the mitzvos must be in the 2nd Adar.

Based upon reading the Gemarah it reaches the conclusion that Rabban Shimon ben Gamliel is the author of the stam Mishnah and that the 2nd Adar is primary.

The second Mishnah and Gemarah is from the tractate of Nedarim 63a [SOURCE 2] which states that when a person makes a vow not to drink wine for a year and the year was extended by adding a second Adar, the person is forbidden until the end of the second Adar. If he vows to prohibit wine until the beginning of Adar and the year was declared a leap year, then wine is forbidden to him until the beginning of the 1st month of Adar. If he vowed to avoid wine until the end of Adar, it is forbidden until the end of the 1st Adar.

The Gemarah then attempts to determine who the Mishnah is attributable to – either Rabbi Yehudah or Rabbi Meir by looking at Baraisa that talk about the situation where Adar is written on a document and how that determines the due date. From everything we have seen, it seems to be clear that the Mishnah follows the view of Rabbi Yehudah, who holds that an unspecified reference to Adar implies the 1st Adar. The Gemarah ultimately rejects this position and states that the Mishnah was discussing a case where the person did not know that there was going to be a 2nd Adar. However in a case like today, where we have a set calendar and we know from the outset that there will be a 2nd Adar, when we make the vow we understand that means until the 2nd Adar.

So it seems that both the Gemara's seem to conclude that the 2nd Adar is primary. Now we look to what the poskim hold. In the Shulchan Aruch in section 568: 7 which deals with the laws of vows to fast [SOURCE 3]. Rabbi Yosef Karo, 16th century author of the Shulchan Aruch basically concludes what we expect him to conclude that the 2nd Adar is primary. He states that when the day on which one's father or mother died happens to be in the month of Adar and it is now a leap year, he should fast in the 2nd month of Adar. At this point, everything seems to support the contention that the 2nd Adar is primary.

Rabbi Moses Isserles, the Rema surprisingly rejects Karo's decision and states that there are authorities who say that he should fast in the 1st month of Adar. Why does Rema reject the view of Karo when it seems that the Gemara supports the principle that the 2nd Adar is primary?

To understand why, we need to look at the Magen Avraham, Rabbi Abraham Gombiner (Poland 17th century)'s comments on that section. [SOURCE 4] He discusses in detail the Gemara in Nedarim and concludes that the discussion of 2nd Adar is not relevant because the focus is on what the person's intention was regarding the vow and not which month of Adar is actually primary. Then the Magen Avraham discusses the Gemara in Megillah and determines that it does not answer the question of which Adar is primary because the determination that Purim occurs in the 2nd Adar is totally a different type of situation.

Why is that the case? A closer examination of the Gemara in Megillah [SOURCE 1] reveals that ultimately which Adar that Purim occurs in is determined by which Adar is closer to Passover and not which Adar is primary in any objective sense. The principle that Rabban Shimon ben Gamliel articulated that Purim is observed in the 2nd Adar, which is the Adar closest to Nissan in celebration of the redemption of Pesach. Geulah la Geulah But it has nothing to do about which Adar is primary but just which Adar is Purim required to be observed in.

The Magen Avraham concludes that the 2nd Adar is not primary **but also does not conclude** that the 1st Adar is primary but that both are significant and that people should observe BOTH Adars for Yahrzeit. One must at this point wonder why. He concludes that if one accepts upon himself by vow to fast on the day when his father died, he is obligated to fast in both Adar months, as that is the prevailing ruling. In fact, the last line of the Rema states that there are people who act stringently and fast in both Adar months because he thinks that both Adars are the REAL Adar.

However, the Magen Avraham is concerned about the burden that fasting places upon the individual and so makes it easier by ruling that if a person did not accept the fast explicitly, but only fasts in view of the minhag of fasting on the day when their parents died, he is never required to act other than how he acted the 1st time when a leap year occurred in his case. This is because at the outset he accepted the fast upon himself with this understanding that he is only fasting once. However, if for the first time, he goes for advice to the Rabbi and asks how he should behave, the Mishna Berurah rules [SOURCE 5] that it is proper to instruct him to fast both Adar months because they are both Adar. Indeed, if it is difficult for him to fast in both of them, it appears that it is preferable for him to choose the 1st Adar, as that accords with the practice.

It is interesting to observe that the practice of fasting on the Yahrzeit seems to have fallen out of favor and in fact it is common practice in the shul to bring food for the congregation at the morning minyan so that when they make a blessing it should be for a merit for the deceased.

The observance of Yahrzeit customs are mostly minhaging and we do not want to burden the person by requiring them to observe it twice. Nor should it be a burden on the congregation, as the Mishna Berura [SOURCE 5] by Rabbi Yisrael Meir Kagan, the Chafetz Chaim, 19th century Poland, noted that in the time when the mourner was the sole reciter of the Kaddish, the congregation did not have to concede to him the right to say Kaddish in both Adars but only once. Similarly perhaps we would say that the mourner could be Shalich Tzibur but only once.

The Mishna Berura rejects the position of Karo that the common Adar is the 2nd Adar and adopts the position of the Rema and other authorities who say the opposite and finds persuasive the principle that one should not bypass the opportunity to perform a mitzvah but should perform them immediately as they present themselves. [SOURCE 6] It was discussed in the Gemarah on Megillah [SOURCE 1] in the name of Rabbi Eliezer son of Rabbi Yose who states that we do not pass over the opportunity to perform mitvos as a reason to perform the mitvos of Purim in the 1st Adar rather than waiting until the 2nd Adar. While we don't accept that conclusion there, the principle remains true.

This is the conclusion of the Kitzur Shulchan Aruch by Rabbi Shlomo Ganzfried, 19th century Hungary in chapter 221, section 3 where he says that if the death occurred in Adar of a regular year, then during a leap year it is observed in the first Adar. He goes on to say that in the 2nd Adar, too, he should say Kaddish but he may not encroach upon the rights of others.

This question becomes relevant in other cases, the most common one being Bar Mitzvahs for children born in a year with 1 Adar but become 13 in a year with 2 Adars. In which Adar are they Bar Mitzvahed?

In the Shulchan Aruch, Orah Hyaim Chapter 55, law 10 [SOURCE 7] Karo described the curious situation when a child is born during the 1st Adar and another child is born weeks later in the 2nd Adar. If the year that they turn 13 has two Adars then they become Bar Mitzvahed in the order that they were born. But if the 13th year is regular and has only 1 Adar, the boy who is born second becomes Bar Mitzvahed 1st and the boy who is born first becomes Bar Mitzvahed 2nd.

What about the situation when the child is born in a year with only one Adar but becomes Bar Mitzvahed in a year with two Adars. Here the Rema states that the 2nd Adar is the primary Adar – which is different from what he rules regarding yahrzeits. The difference might be that regarding yahrzeits, the critical element is what is in the mind of the person who makes the vow to fast on the Yahrzeit. The reason he concludes the other way when faced with the situation of Bar Mitzvah is that we are not focused on month vs month but the year. The Yahrzeit is based upon a date and we are concerned about which month to observe it in. In the case of Bar Mitzvah we need to be concerned about years – that we have completed 13 complete years. [SOURCE 8] So because we are concerned about having completed 13 years and that both Adars are Adar, we have to wait until the 2nd Adar.

So summarizing what we have learned. If the death occurs during a leap year, either in the 1st or 2nd month of Adar, then, in a regular year, the Yahrzeit or fast is observed on that day of the sole Adar. And when the person died in a leap year and it is now a leap year, you should observe in the month when the death occurred: if in the first Adar, it is observed in the first, and if in the second, it is observed in the second. If the person died in a regular year with only one Adar and you are observing the Yahrzeit in a year with two Adars, you should observe in the 1st Adar. But if you are strict you

can observe in both but do not impinge upon anyone who is observing the 2nd Adar as their primary observance date.

I would like to thank Rabbi Morris who has been so patient these last 5 months working with me so many months, weeks, days and hours translating and helping me understanding a wide variety of Talmud, Codes and commentaries, only a miniscule portion of which are actually reflected in this brief learning today.

This brings us finally to the conclusion and to the interesting situation that I have this year. My father died on the 1st of Adar Bet and my Grandfather died on the 12th of Adar Aleph. Therefore, this year when there is only 1 Adar I observe my father's Yahrzeit 1st and then 11 days later observing my Grandfather's Yahrzeit. Years with two Adars, I observe my Grandfather's Yahrzeit 1st and then my fathers. Had my father died in a year with only one Adar and we are now in a year with two Adars, I could have been in the situation where I observed my father's Yahrzeit on the 1st of Adar Aleph, then my Grandfather's Yahrzeit on the 12th of Adar Aleph and then my father's Yahrzeit again on the 1st of Adar Beth. My father would have enjoyed this particular apparent magic trick of being both before and after his father.

My father, Emanuel Abraham Rosen, was a strong independent individual who lived life on his terms. While he came from a long line of Rabbis on both sides of his family, learned Hebrew as his first language, studied Jewish traditional sources with both his father and grandfather, he chose a different path.

He was outgoing, athletic and poured his heart and soul into Zionism. He knew many of the founders of the state, as they were guests in his father's house. I was constantly amazed and astonished about the famous Zionists who knew him and the pictures of him with a panoply of who's who in the establishment of Israel.

He was proud of the number of times that he was nearly caught transporting ammunition and weapons to Israel.

When I traveled with him in 1970s, I was constantly surprised by the deference he was given by security, police and army. I never knew whether it was his service to the State, being the head of the pharmacy for the region south of Jerusalem to Sharmal Shek, being responsible for the army base pharmacies, one of the founders of the Eilat civil defense force, or his status as a Mason. But I do know that sometimes he told me that when he was younger he chaffed because so many people in Israel would introduce him as Haim Rosen's son.

I am proud that I can be introduced as Emanuel Rosen's son.

The Adar Yahrzeit

Emanuel Abraham Rosen
Nathan Rosen

1) Talmud, Megillah 6b

MISHNA: If the Megillah had been read in the first Adar, and the year declared (by the Sanhedrin) to be intercalary, it must be again read in the second Adar. There is no difference between the first Adar and second, but in the reading of the Megillah and the gifts to the poor.

GEMARA:... Boraitha: If they have read only the Megillah in the first Adar, and the year becomes intercalary... R. Eliezer b. R. Jose said: It must not be read in the second Adar, because all the duties customary in the second are so also in the first. R. Simeon b. Gamaliel in the name of R. Jose said: It must be read also in the second Adar, because all the duties obligatory in the second must not be done in the first. But they are the same in regards to eulogies and fasts that they are prohibited in both....

Said R. Hiyya bar Abin in the name of R. Johanan: The Halakha prevails according to what Rabban Simeon b. Gamaliel said in the name of R. Jose.... Said R. Tabi: The reason why R. Simeon b. Gamaliel declares so is, that one redemption (from Haman) should be near to another redemption (from Haman, Passover).

2) Talmud, Nedarim 63a-b

Mishnah. [if he vows,] 'konam that I taste not wine for a year', if the Year is intercalated, he is forbidden during the year and its Extension. [if he says.] 'until the beginning of Adar,' [it means] until The beginning of the first Adar; 'until the end of Adar,' until the end of The first Adar.

Gemarah. Thus we see that by stating Adar, without qualification, the first is meant. Shall we say that our Mishnah reflects r. Judah's views? For it was taught: for the first Adar, one writes

תלמוד בבלי מסכת מגילה דף ו עמוד ב

משנה. קראו את המגילה באדר הראשון ונתעברה השנה - קורין אותה באדר שני. אין בין אדר הראשון לאדר השני אלא קריאת המגילה, ומתנות לאביונים.

גמרא... דתניא: קראו את המגילה באדר הראשון ונתעברה השנה ... רבי אליעזר ברבי יוסי אומר: אין קורין אותה באדר השני, שכל מצות שנוהגות בשני נוהגות בראשון. רבן שמעון בן גמליאל אומר משום רבי יוסי: אף קורין אותה באדר השני, שכל מצות שנוהגות בשני אין נוהגות בראשון. ושזין בהספד ובתענית שאסורין בזה ובוזה... אמר רבי חייא בר אבין אמר רבי יוחנן: הלכתא כרבן שמעון בן גמליאל שאמר משום רבי יוסי. אמר רבי יוחנן: ושניהם מקרא אחד דרשו: בכל שנה ושנה. רבי אליעזר ברבי יוסי סבר: בכל שנה ושנה, מה כל שנה ושנה אדר הסמוך לשבט - אף כאן אדר הסמוך לשבט, ורבן שמעון בן גמליאל סבר: בכל שנה ושנה, מה כל שנה ושנה אדר הסמוך לניסן - אף כאן אדר הסמוך לניסן. בשלמא רבי אליעזר ברבי יוסי - מסתבר טעמא, דאין מעבירין על המצות, אלא רבן שמעון בן גמליאל מאי טעמא? - אמר רבי טבי: טעמא דרבי שמעון בן גמליאל מסמך גאולה לגאולה עדיף.

תלמוד בבלי מסכת נדרים דף סג עמוד א-ב

מתני'. קונם יין שאיני טועם לשנה, נתעברה השנה - אסור בה ובעיבורה; עד ראש אדר - עד ראש אדר הראשון, עד סוף אדר - עד סוף אדר הראשון.

גמ'. אלמא סתמא דאדר דקאמר - ראשון הוא; לימא, מתני' רבי יהודה היא! דתניא: אדר הראשון - כותב אדר הראשון, אדר שני - כותב אדר סתם, דברי ר"מ; ר' יהודה אומר: אדר הראשון - כותב סתם, אדר שני - כותב תינין! אמר אביי: אפילו תימא ר"מ, הא דידע

‘the first Adar’; for the second, simply ‘Adar’: this is r. Meir's view. R. Judah said: for the first Adar, one writes ‘Adar’; for the second, one writes ‘the second Adar’! — abaye said: you may say that it Agrees even with r. Meir: the latter is where he knew that it was a leap year; the former [i.e., the Mishnah], if he did not know. And it was taught even so: [if one writes.] ‘until the new moon of Adar,’ [it means] until the new Moon of the first Adar; but if it was a leap year, until the new moon of the second Adar. Now, this Proves that the first clause does not refer to leap year? hence the latter clause means, if he knew That it was a leap year; the former, if he did not know.

3) Shulchan Aruch - Laws of Vows to Fast – Section 568:7

When the day (1) on which one's father or mother died happened to be in the month of Adar and it is now a leap year, he should fast in the second month of Adar.

Gloss: There are authorities who say that he should fast in the first month of Adar unless his father or mother died in a leap year in the second month of Adar, in which case it is the practice to fast in the second month of Adar. It is in fact the practice to fast in the first month of Adar. However there are people who act stringently and fast in both Adar months.(2)

4) Magen Avraham, OC 568:20

...Furthermore, it says that it is prohibited to fast and eulogize on both 14s and 15s of Adar, therefore the law is that you should fast on both. However, since it is only a custom to commemorate a Yahrzeit, it is not necessary but to do what one did the first time since that is what one accepted upon himself. However, one who swore to fast on the Yahrzeit would be required to fast on both...it says one should fast in the first month...for the first Adar always stands in place of the second.

דמעברא שתא, הא דלא ידע; והתניא: עד ר"ח אדר - עד ר"ח אדר הראשון, אם היתה שנה מעוברת - עד ר"ח אדר השני; מכלל דרישא לאו במעוברת עסקינן, שמע מינה: הא דפשיטא ליה דמעברא שתא, הא דלא ידע.

שולחן ערוך אורח חיים סימן תקסח סעיף ז

כשאירע יום (מא) שמת אביו או אמו באדר, והשנה מעוברת, יתענה כ [טז] באדר ב'.

הגה: ויש אומרים דיתענה בראשון (מהרי"ל ומהר"י מינץ), אם לא שמת בשנת העיבור באדר שני דאז נוהגים להתענות בשני (ת"ה סימן רצ"ה /רצ"ד/); וכן המנהג להתענות בראשון, (מב) מיהו יש מחמירין להתענות בשניהם (פסקי מהר"י בשם מהר"י מולין).

מגן אברהם אורח חיים סימן תקסח ס"ק כ

כ באדר שני —... ועוד די"ד וט"ו אסורים בהספד ותעני' בשניהן לכן מדינא יש להתענות בשניהם אך כיון שיום שמת בו אביו אינו אלא מנהג א"צ לעשות אלא כמו שנהג בתחלה דמעיקרא אדעתא דהכי קביל עליה אבל מי שנדר להתענות יום שמת בו רבו וכדומה צריך להתענו' בשניהם כנ"ל ועבי"ד סי' ת"ב בש"כ וט"ז ובכ"ה בשם הר"ש הלוי סי"ו כתב דיש להתענו' בראשון...לעולם אדר ראשון עומד תחת אדר שני:

משנה ברורה סימן תקסח ט"ק מב

5) Mishnah Berurah 568:42

However there are people who act stringently and fast on both Adar months.- See the MA who concluded that if one accepts upon himself by vow to fast on the day when his father or teacher died, he is obligated to fast in both Adar months, as that is the prevailing ruling. On the other hand, if one did not accept this upon himself explicitly, but only fast in view of the practice, as it is the practice to fast on the day when one's father or mother died, he is never required to act other than how he acted the first time when a leap year occurred in his case. This is because at the outset he accepted the fast upon himself on this understanding. However, if for the first time itself he comes for advice as to how he should behave in this matter, it is proper to instruct him to fast both Adar months. Indeed, if it is difficult for him to fast in both of them, it appears that it is preferable for him to choose the first day (first Adar) as that accords with the practice. On the other hand, the mourners only need to concede to him the right to say Kaddish once. (This ruling is relevant when only one person is allowed to say Kaddish).

6) Mishna Berurah 568:41

The Mechaber believes that the primary Adar is Adar II and there are those that they the opposite and their reasoning is that one should not pass by the opportunity to perform a mitzvah.

7) Shulchan Aruch, OC 55:10

If a lad is born on the 29th of Adar I in an intercalary year and another lad was born on the first of Adar II and their 13th year is not intercalary, the once born on the 29th needs to wait until the 29th of Adar to be a Bar Mitzvah while the one born after him on the 1st of Adar II will be considered 13 on the first of Adar in the

(מב) מיהו יש מחמירין להתענות בשניהם - עיין במ"א שמסיק דאם קבל עליו בנדר להתענות יום שמת בו אביו או רבו מחוייב להתענות בשניהם דכן הוא העיקר לדינא [וכ"כ הגר"א] אכן אם לא קבל עליו בפירוש רק מצד מנהגא שמנהג להתענות יום שמת בו אביו ואמו א"צ להתנהג לעולם אלא כמו שנהג בפעם ראשונה כשמתרמי לו השנה מעוברת דמעיקרא אדעתא דהכי קבל עליה אכן בפעם ראשונה גופא אם בא לימלך כיצד לעשות הנכון לומר לו שיתענה בשניהם (אכן אם קשה לו להתענות בשניהם נראה שטוב יותר שיברור לו יום ראשון דכן הוא המנהג) אכן האבלים אין צריכין ליתן לו קדיש אלא פ"א וכיוצא בזה כתבו בשם רש"ל מי שאינו יודע יום שמת בו אביו ואמו יברור לו יום אחד אך אל יסיג גבול אחרים לומר קדיש.

משנה ברורה סימן תקסח ט"ק מא

(מא) שמת אביו א"א = או אמו = באדר והשנה מעוברת - ... דעת המחבר דסתם אדר הוא אדר שני וי"א להיפך וגם יש בענינינו טעם דאין מעבירין על המצות:

שולחן ערוך אורח חיים סימן נה סעיף י

אם נער אחד נולד בכ"ט לאדר ראשון משנה מעוברת, ונער אחד נולד באדר שני באחד בו, י ושנת י"ג (מג) [יא] אינה מעוברת, אותו שנולד בכ"ט לאדר הראשון צריך להמתין (מד) עד כ"ט לאדר בשנת י"ג להיות בן י"ג שנה, ואותו שנולד אחריו באחד באדר השני יהיה בן י"ג שנה כיון שהגיע אחד באדר של

13th year.

Gloss: One who is born in Adar is becomes a bar Mitzvah in an intercalary year, does not become Bar Mitzvah until Adar II.

8) Magen Avraham, OC 44:10

Because we require complete years and that which we require 13 years means from each year, and the 13th year happens to be 13 months long.

שנת י"ג. הגה: ומי שנולד באדר ונעשה בר מצוה בשנת העיבור, (מה) אינו נעשה בר מצוה עד אדר השני (תשובת מהר"י מיינץ סי' ט"ו /ט"ו).

מגן אברהם אורח חיים סימן נה ס"ק י

י ושנת י"ג אינה מעוברת - ...דבעי שנה תמימ' ומ"ש שנת י"ג מכל השנים דשנת העיבור בת י"ג חדש